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REGIONAL ORGANIZATION AND THE REGULATION OF INTERNAL CONFLICT

By LINDA B. MILLER*

I

ARE regional and global approaches to world order compatible or competitive? Policy-makers and scholars pose this question with increasing frequency. Yet too often assessments of the relative capabilities of regional and general international organizations fail to distinguish the different demands such issues as threats to the peace or modernization create for widely divergent institutions. Enthusiasm for regionalism waxes and wanes with events. As Inis Claude observes, "The advocacy of regionalism can be, and often is, as doctrinaire and as heedless of concrete realities as the passion for all-encompassing organization."¹

The realities of contemporary internal violence suggest that international regulation of intrastate disorder is desirable. Internal disorders, in the form of armed insurrections, bloodless military coups, colonial revolts, or factional disputes, are prevalent in the less industrialized sectors of Asia, Latin America, Africa, and the Middle East. The attempts of countries in these regions to modernize their societies generate social and political unrest and invite violent or subviolent civil strife.

These disorders may reveal a desire to achieve political change when previously legitimate means of effecting change have broken down or when the goals of dissident groups cannot be realized by legitimate means.² Revolutions, civil wars, coups, or mere threats of force attest to issues of policy or ideology; disagreements over foreign-policy, constitutional, ethnic, racial, or economic questions may spark violence that creates new issues for domestic and external parties.³ Nation-building and insurgency are closely linked: the lack of a basic national consensus about the means and ends of government may raise doubts as to the legitimacy of the formal government in power; or bureaucratic ineffi-

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¹ *Swords Into Plowshares* (New York 1964), 95.

² Cyril E. Black, in Cyril E. Black and Thomas P. Thornton, eds., *Communism and Revolution* (Princeton 1964), 7ff.

³ *Ibid.*, 9-12.

ciencies may call into question the capacity of ruling groups to govern.⁴

Different kinds of internal violence create different international concerns. Conflicts that subside quickly or remain confined within national boundaries may arouse some interest on a regional basis and little or no attention on a global scale. Protracted disorders that may spill over territorial boundaries stimulate global interests in peaceful change and human rights. When struggles for internal supremacy are seen by local and foreign participants as parts of larger conflicts of a racial or ideological character, the potential or actual threat to global and regional stability is increased.

Competitive external interventions have become the familiar mode for larger powers who view internal conflicts as a means of extending their own national influence at the expense of cold-war adversaries or regional competitors. Thus the steadily expanding war in Vietnam has dramatized the extent to which the line between international and internal conflicts may be erased by the actions of third parties who regard civil disorders as threats to political values. The lack of substantive rules of conduct in civil strife increases the likelihood of unregulated third-party interventions. The specter of unilateral military responses to internal violence raises the most serious issues for world order. Few would disagree with Richard A. Falk who argues that "civil strife constitutes the major challenge to those convinced that decisions to use military power in world affairs should not be matters of national discretion."⁵ Nevertheless, since the effective control of force remains on the national level, the prospects for international regulation of internal conflict depend upon the self-restraint of third parties.

Such a fragile basis for world order is unsatisfactory to those who would give primacy to transnational interests. Therefore it is not surprising that some scholars have attempted to postulate a series of "legal" restraints that might serve as guides for policy-makers. Falk, for example, has proposed that the legitimacy of particular interventions be based on whether they rest on prior principles that express "patterns of general community consent or merely reflect *ad hoc* political majorities of the moment." Thus unilateral interventions in which one nation intervenes in the internal affairs of another, as did the Soviet Union in Hungary, would rank lower on the scale of legitimacy than regional interventions in which a group of states forms a juridical entity and

⁴ Lucian Pye, in Harry Eckstein, ed., *Internal War: Problems and Approaches* (New York 1964), 158, 164.

⁵ "The International Regulation of Internal Violence in the Developing Countries," American Society of International Law, *Proceedings* (April 1966), 59.

imposes a combined will on a dissenting member, as did the OAS with Cuba. Still higher on the scale would come collective interventions under the aegis of the UN, as in the Congo or Cyprus.⁶ Falk would give to the UN greater legislative competence to intervene in domestic affairs, authority that would enable the Organization to move into *any* civil disorder threatening world peace or abusing human rights. In some instances the UN might become the sole authority in modernizing countries experiencing civil upheaval.⁷ Regional interventions would occupy a middle position between undesirable unilateral interventions and desirable, but perhaps unattainable, UN interpositions.

The structural and political realities of regional organization indicate that the possibilities for attaining effective management of civil strife through regional efforts are limited. Nevertheless, it is useful to stipulate the *feasible* responses for regional actors even if these responses fall short of *desirable* ones.

II

It is important to differentiate both types of internal conflict and patterns of regional organization. The term "internal war" is not helpful in this context, since many internal disorders are not "wars" in a traditional sense. Moreover, "internal war" is rendered still less precise by its occasional use as a description of conflicts in which "Communist" states participate.⁸ It would be advantageous if scholars could develop categories that permit clear distinctions between diversified internal conflicts.⁹ In the absence of widely accepted categories, observers must select those pertinent to the scope of a particular inquiry. From the standpoint of international organization, three types of internal conflict are significant: colonial wars, internal conflicts involving a breakdown of law and order, and proxy wars and internal conflicts involving charges of external aggression or subversion.

Two types of regional organization are of potential consequence in the regulation of internal conflict: (1) groupings of states such as the Organization of American States and the Organization of African Unity, with a continental or hemispheric basis, a set of decision-making institutions, and established procedures for pacific settlement of dis-

⁶ Falk, in Roland Stanger, ed., *Essays on Intervention* (Columbus 1964), 40-41.

⁷ *Ibid.*, 40-44.

⁸ See, for example, Roger Hilsman, "Internal War: The New Communist Tactic," in Franklin Mark Osanka, ed., *Modern Guerrilla Warfare* (New York 1962), 452-63.

⁹ For an extended discussion of this point, see Linda B. Miller, *World Order and Local Disorder: The United Nations and Internal Conflicts* (Princeton 1967), Introduction.

putes; and (2) collective defense arrangements such as NATO, SEATO, and the Warsaw Pact, whose geographical bases conform to strategic needs rather than natural boundaries and whose nonmilitary functions are virtually undeveloped. Regional organizations of both types are arenas in which competing governmental interests are acted out. When these interests converge, a consensus may emerge on appropriate responses to internal violence. These responses, whether they involve attempts to isolate an internal conflict, to foster negotiations between disputants, or to impose a settlement, develop pragmatically in each case. The British Commonwealth is a more anomalous type of "regional" organization. Despite the fact that the Commonwealth is unlike other organizations, it may attempt similar functions when internal strife breaks out in a member state, if political circumstances permit. The Commonwealth's lack of cohesion, apparent throughout Rhodesia's conflict with Britain, is a major impediment to effective action.

Few precedents are discernible in the practice of regional organizations in civil disorders, but some frequently observed deficiencies have proved to be highly relevant. In Asia, there is no regional grouping of stature and comprehensive authority. The recently formed Asian and Pacific Council (ASPAC) has no institutional structure and is limited to a few countries in the area. Even more restricted is Maphilindo, a grouping that has remained an expression of intent rather than a viable foundation for regional activities. In Africa, the existing OAU lacks military resources and is torn by periodic ideological splits. In the Middle East, the Arab League's membership is incomplete and the competition for dominance between Egypt and Saudi Arabia affects every regional undertaking. In Latin America, the U.S. continues to dominate the OAS and seeks to have American conceptions of Communist threats to the hemisphere prevail. Similarly, preeminent American power plus divergent attitudes toward the degree and quality of Communist involvement have characterized the responses of NATO and SEATO to intraregional civil strife.

Past attempts of regional organizations to regulate varieties of internal violence illustrate these deficiencies and others that preclude effective contributions to world order.

III

The chief colonial wars since 1945 have unfolded in parts of the world where regional organization is either precarious or nonexistent.

Throughout the postwar period, the organizational focus of decolonization has remained the United Nations. The destabilizing effects of the new nations' transition to self-rule have colored the relations of the European nations with the Soviet Union and its allies, as well as intra-alliance relations in the West. The lengthy struggles of indigenous groups in Indonesia, Algeria, and Angola have involved third-party states and international organizations in asymmetrical conflicts in which incumbents have enjoyed an initial preponderance of power. These revolutionary wars have taken place in territories in which the metropolitan power remained distant, geographically and politically. Each European power in turn has confronted nongovernmental cliques determined to end foreign domination. The Dutch, French, and Portuguese governments sought to isolate these conflicts in hopes that concessions short of outright independence would be sufficient to quell disorder. Each colonial power vigorously opposed formal internationalization of the conflict, fearing that the UN (and later the OAU, in the case of Angola) would serve to confer status on the rebelling faction and to expose repressive administrative policies.

Insurgent groups in Indonesia, Algeria, and Angola have favored UN involvement (and now OAU participation) for the reasons the European states opposed it: first, as a means of enlisting sympathy for rebel goals; and second, as a means of enhancing bargaining positions and compensating for military weaknesses. In all three colonial wars, the UN's efforts (and those of the OAU) to confine hostilities, to restore order, to foster self-determination, and to encourage viable political settlements have been hampered by the reluctance of incumbents and insurgents to legitimize each other, to accord the recognition implied in acceding to negotiations. In each case, the international organizations have expressed a definite preference for change favorable to insurgents.

The vestiges of white rule in southern Africa constitute the last barrier to an independent continent. A "colonial" war that could dwarf the violence of preceding African conflicts is a distinct possibility. Can the OAU be expected to play a constructive role in securing the black majority's rights and in preventing uncontrolled bloodshed? The record of the OAU in the Angolan revolt is instructive.

Unlike many of the intra-African issues, the Angolan colonial war has served to unite the states of Black Africa on policy. The formation of the OAU in 1963 provided new impetus for a sanctionist approach to Portugal, but African leaders have sought a wider forum for their denunciation of Salazar's administration—hence their concentration

on securing UN resolutions and UN investigations rather than exclusive OAU discussions. Lacking the military capabilities to intervene with force in Rhodesia, Angola, Mozambique, or South West Africa, the African states have tended to act individually in such matters as training rebels or recognizing a specific indigenous regime as the *de jure* authority. The OAU as an organization, apart from the actions of certain of its members, has not "regulated" the Angolan conflict in any sense; in fact, the revolt has diminished. The OAU members have cast themselves as a group in the role of negotiators for the rebels in their dealings with Portugal. These talks, urged in numerous UN resolutions, have foundered on the issue of self-determination for Angola. But the fact that the OAU has considered itself a party to the conflict and has been accepted as such by the UN may be a valuable precedent.

In view of the ideological splits that have plagued the OAU since its establishment and the continuing military weakness of the organization, it is difficult to foresee a more interventionary OAU role even in circumstances of policy agreement. It would appear that both regional and global approaches to change in southern Africa are dependent on shifts in the commitments of Western states, notably the United States and Britain. The African states continue to lack sufficient power to "impose" a settlement on Portugal or South Africa, even if the combined will of the OAU membership would favor an attempt to do so. Moreover, the pattern of settlement in the Indonesian and Algerian wars indicates a bilateral framework for eventual solutions rather than a regional one. Feasible OAU responses would involve continued diplomatic pressure on other UN members in presentations that stress violations of human rights and the compatibility of regional and global concerns. In addition, the thirty-eight members of the OAU might adopt more uniform procedures for urging all African states to refrain from trading with either Portugal or South Africa. The many examples of extensive trade between the new states and the "colonial" powers are impressive. Only if other economic arrangements can be devised so that the losses from an end to such trade are shared will the new African states be willing to adopt firm practices.

A severe outbreak of organized resistance to the South African regime, rather than sporadic incidents of civil disobedience, would involve the UN as well as the OAU. A potential source of disagreement between the two organizations might develop over the question of border-sealing. From the UN's perspective, such a move might increase the chances for isolating the disorder. But from the OAU's viewpoint, border-sealing would favor the police actions of the incumbents and

prevent the external assistance needed to topple the white government. Thus border-sealing, while feasible, might not be desirable. In this instance, competitive means might mask compatible goals.

The role of security pacts in colonial wars appears even more restricted. In the Indonesian and Algerian conflicts, NATO served as a minor channel through which the United States could direct pressures against the Netherlands and France when it wished to do so. In the Angolan rebellion, the United States shifted its initial position in the UN and came to accept the *principle* of an arms embargo against its NATO ally Portugal. But since the alliance itself is in chronic disarray, it is unrealistic to expect "NATO" policies on colonial matters that appear less critical now than in the 1950's.

IV

The declining importance of prolonged struggles for independence has been accompanied by an upsurge in virulent forms of postcolonial civil disorder. These conflicts, often characterized by a breakdown of law and order, create a complex set of policy choices for third parties, both individual states and regional or global organizations. A compatibility of ends and means between the UN and the interested regional association cannot be assumed. Friction or tension between field operations of the UN and those of regional organizations may be the price of a mutual concern for stability. The Congo, Dominican, and Cyprus disorders have found international organizations deeply involved in seeking to halt violence and to promote political solutions.

The relatively uncomplicated roles played by these organizations in the colonial wars contrast sharply with the intricacies of their prolonged participation in the breakdowns of law and order. These conflicts have confronted international organizations with an array of parties whose interests transcend the colonial pattern of incumbents and insurgents. In countries as diverse as the Congo, the Dominican Republic, and Cyprus, a common instability arising from a lack of adequate preparation for full self-rule (as opposed to colonial or dictatorial rule) has marked the disintegration of political processes.

To an important extent, regional organizations and the UN have shared compatible goals in these disorders. Both have tried to restore and maintain international peace and security, pursuant to their principles and purposes. Both have tried to prevent external interventions from escalating local violence into superpower conflagrations. In attempts to realize their goals, both have been limited by inadequate

means and by the attitudes of individual member states with narrower national interests in the outcome of internal strife. Similar limitations have plagued the efforts of international organizations in colonial wars and internal conflicts involving charges of external aggression or subversion. But special hazards have accompanied the involvement of international institutions in upheavals that have exposed the weaknesses of the social fabric in developing societies with minority groups of a mixed racial or linguistic heritage. The nature of the breakdowns of law and order has required the formation of a consensus within each organization. In each case, a commitment to a definite outcome has developed within each institution when local and external parties have evaded political solutions.

By the time the Organization of African Unity was formed in May 1963, the post-independence breakdown of law and order in the Congo had passed through several critical stages. From the beginning of tribal violence and the subsequent collapse of central authority in Léopoldville, African statesmen individually and collectively had sought to exercise some influence on events. Hammarskjöld and later President Kennedy and U Thant expressed the hope that the Black African states might play a constructive role in securing a political settlement of the Congo's turmoil. But the expectations of these officials rested on two assumptions, both of which proved unrealistic: that the African states could unite sufficiently to take a concerted approach toward the rival Congolese leaders, especially Tshombe and Lumumba, and that in matters of tactics and strategy African political figures would step aside in favor of U.S.-UN management. The initial response of the Africans to Hammarskjöld's principles for the operation of ONUC was favorable. Lacking military capabilities and a continental organization through which to act, African leaders endorsed a UN peacekeeping operation as a means of preventing direct superpower exploitation of the situation. Individual African statesmen took the lead in drafting Security Council resolutions that led to ONUC's establishment, and they contributed contingents quickly.

The Congo crisis soon threw the disagreements among African leaders into sharp relief. A central issue concerned the appropriate attitude for the UN to adopt toward Katanga's continued secession, and toward Tshombe personally. Severe differences separated Nkrumah and Touré, who wished to see the secession crushed, from representatives of the former French colonies, who were prone to regard the rebel leader as a bulwark against communism in Africa. This early divergence between the "conservative" Brazzaville group and the more "radical" Casa-

blanca group proved to be the precursor of other cleavages that threatened to prevent the formation of an African regional organization. Neither grouping proved to be rigid in structure; the Brazzaville group itself split in August 1961. The military coups in Africa in 1965-1966 have produced new configurations, with Ghana now a "conservative" state in contrast to its earlier "radical" posture.

As conflict in the Congo persisted in 1961-1962, the activities of a more moderate group of African states, among them Nigeria, began to be prominent in Hammarskjöld's Advisory Committee and later in the UN Conciliation Commission. By the time the Addis Ababa conference convened to chart the course of the new African organization, it was apparent that the "bloc" configurations represented by Casablanca, Monrovia, and Brazzaville had become dysfunctional. Linked by the common but negative bond of anticolonialism, eager for a distinctively African association that would replace the imposed decentralization of the colonial era, the thirty-six states adopted a charter that revealed the need to avoid extreme positions. Faced with problems of internal security as well as of economic underdevelopment and the absence of a historical tradition of cooperation, the assemblage approved a constitutional document that placed emphasis on the legitimacy of existing regimes in Black Africa and the "illegality" of white-dominated governments in southern Africa.

Barely a year after its founding, the OAU was strained by the establishment of the Kasavubu-Tshombe government in July 1964. While Tshombe's return as head of a "Government of National Reconciliation" had been accomplished by legitimate means, he remained, for some African leaders at least, a "Belgian lackey" and a "white man's puppet." The Belgian-American airlift in November intensified the views of these dissenters. Prior to the rescue mission, the OAU's Conciliation Commission had failed in its efforts to negotiate the release of rebel-held prisoners in Kwilu and Kivu provinces. The vituperative Security Council debates on the airlift exposed cracks in the facade of African unity. The impotence of the OAU in circumstances of intra-regional civil conflict was demonstrated unmistakably as Ghana, the UAR, and Algeria intervened on behalf of the rebels, while other African states urged a recognition of Tshombe's government. The Security Council's compromise resolution called for a conciliatory role for the OAU.¹⁰ But as the time for ONUC's withdrawal neared, the African organization did not command enough respect to make its influence

¹⁰ Security Council Resolution S/6129, December 30, 1964.

felt, despite its pacific settlement procedures. African leaders, in failing to agree on the choice of a regime to govern the Congo or to endorse leaders already selected, prevented effective OAU participation.

V

In the Dominican Republic's lengthy civil strife the American military intervention shaped not only the course of the upheaval but also the responses of the OAS and the UN. The role of the United States throughout the course of the disorder was so pronounced, so predominant that some observers may question the utility of discussing the Dominican instance in the context of regional control of internal conflict. Yet it is precisely the way in which the U.S. used the OAS in an attempt to legitimize its own actions that gives the episode its importance.

From the initial stages, different characterizations of the circumstances leading to the American intervention were advanced by President Johnson, former Dominican President Juan Bosch, and competing Dominican forces engaged in the struggle.

The dispatch of American airborne units and Marine reinforcements to the Dominican Republic on April 28, 1965, was explained by President Johnson on that day as a measure to "give protection to hundreds of Americans who are still in the Dominican Republic and to escort them safely back to this country."¹¹ The same reason was cited in a letter dated April 29 sent to the President of the UN Security Council explaining the American action.¹² But on May 2, President Johnson, in answering widespread criticism of the intervention, stated that "the revolutionary movement took a tragic turn. Communist leaders, many of them trained in Cuba, seeing a chance to increase disorder, to gain a foothold, joined the revolution. They took increasing control. And what began as a popular democratic revolution, committed to democracy and social justice, very shortly moved and was taken over and really seized and placed into the hands of a band of Communist conspirators."¹³ The President produced no evidence to support his assertion; but on May 5, the State Department released a list of fifty-five "Communist and Castroite" names to support the Johnson administration's claims of Communist takeover. The list, denounced by Bosch

¹¹ White House press release, April 28, 1965; reprinted in *Department of State Bulletin*, LII (May 17, 1965), 738.

¹² U.N. Doc. S/6310, April 29, 1965.

¹³ White House press release, May 2, 1965; reprinted in *Department of State Bulletin*, LII (May 17, 1965), 744.

and rebel leaders, was also ridiculed by other governments and individuals critical of the American action.

The extent of hemispheric hostility to the unilateral American intervention emerged when the United States sought to involve the OAS in a peacekeeping role. An American draft resolution calling for a cease-fire was adopted on April 30 by the Council of the OAS with no negative votes.¹⁴ Similarly, a second draft resolution introduced by the U.S., in conjunction with Argentina, Brazil, Colombia, Guatemala, Mexico, and Peru, at the Tenth Meeting of Consultation of Ministers of Foreign Affairs, a resolution calling for the establishment of an OAS committee to investigate "all aspects of the situation in the Dominican Republic" and to assist in the arrangement of a cease-fire, was adopted on May 1.¹⁵ But prolonged negotiations were required to secure the adoption of an American draft resolution to establish an inter-American peacekeeping force. The creation of a regional military force, endorsed by the five-nation peace committee sent to Santo Domingo pursuant to the May 1 resolution, was opposed by Mexico, Uruguay, Chile, Ecuador, and Peru, states with social and political systems more advanced than those in many other Latin American states. These states, fearful that the American intervention might be a foretaste of other U.S. interventions in Latin American states experiencing domestic unrest, condemned the American action in the Dominican Republic and voted against the resolution. They decried the intervention as illegal under Article 17 of the OAS Charter¹⁶ and scored the United States' failure to consult the OAS before taking its action. Their negative votes were not sufficient to defeat the plan; intensive behind-the-scenes discussions produced a bare two-thirds majority for the American proposal, as amended by five other Latin American states who recorded the view that approval of OAS intervention in the Dominican Republic should not be construed as approval of the initial American intervention. Venezuela abstained on the resolution.

Approved by thirteen states plus a representative of the Dominican Republic (although the country had no legitimate government at the time), the resolution provided for an international force to be estab-

¹⁴ Resolution of the Council of the Organization of American States, April 30, 1965, U.N. Doc. S/6315, May 1, 1965.

¹⁵ Resolution of the Tenth Meeting of Consultation of Ministers of Foreign Affairs, Organization of American States, May 1, 1965, U.N. Doc. S/6319, May 3, 1965.

¹⁶ Article 17 of the OAS Charter states: "The territory of a state is inviolable; it may not be the object, even temporarily, of military occupation or of other measures of force taken by another state, directly or indirectly, under any grounds whatever."

lished incorporating United States forces present in the Dominican Republic and units to be contributed by other members of the OAS. The resolution stipulated that the force would operate under the authority of the Tenth Meeting of Consultation and would have as its purpose "that of co-operating in the restoration of normal conditions in the Dominican Republic, in maintaining the security of its inhabitants and the inviolability of human rights, and in the establishment of an atmosphere of peace and conciliation that will permit the functioning of democratic institutions."¹⁷ The Security Council, under Article 54 of the Charter,¹⁸ was informed of passage of the OAS resolution, as it had been informed of other actions taken by the regional body in the Dominican conflict.

The preference of the United States government for OAS consideration of the Dominican disorder rather than United Nations involvement stemmed from America's dominant position in the OAS and its disinclination to encourage the Soviet Union or Cuba to exploit the American military presence on the island for propaganda purposes. Thus when the Security Council debated the Dominican question in sixteen meetings from May 3 to May 25, the American representative argued that the OAS should continue to exercise primary responsibility for attaining a permanent cease-fire and promoting a political solution to the disorder. In a series of statements to the Council, Adlai Stevenson defended the American intervention as necessary: "When hours and even minutes counted—there was no time for deliberate consultation and for the organization of international machinery which did not yet exist."¹⁹ He repeated the claims of the U.S. government that its intervention was justified on humanitarian and legal grounds and stressed its interest in securing a settlement in accord with the wishes of the Dominican people.

The predictable Soviet and Cuban denunciations of the American position were echoed by British, Bolivian, and French criticisms. The United States succeeded in preventing the passage of a Security Council resolution that would have condemned its actions and given U Thant and the Council more extensive responsibilities in the Dominican con-

¹⁷ Resolution of the Tenth Meeting of Consultation of Ministers of Foreign Affairs, Organization of American States, May 6, 1965, para. 2, U.N. Doc. S/6333, Rev. 1, May 7, 1965.

¹⁸ Article 54 states: "The Security Council shall at all times be kept fully informed of activities undertaken or in contemplation under regional arrangements or by regional agencies for the maintenance of international peace and security."

¹⁹ U.N. Doc. S/P.V. 1200, May 5, 1965, 12.

flict. While debate in the OAS and the UN continued, the United States shifted its support from the military junta it had placed in power to a coalition regime, in a belated acknowledgment of the depth of non-Communist endorsement of the rebel cause. Throughout the next few months, the rebel forces continued to press for an enlarged UN role rather than OAS mediation, which they regarded as partial to the Dominican military forces manipulated by the United States. Each local party to the internal conflict sought to use one of the interested international organizations to advance its cause against its opponents.

The eventual settlement of the Dominican conflict, the establishment of a provisional government after a cease-fire, and the inquiries into violations of human rights took place under OAS aegis. Frequent reports of "confusion" between the regional body's functions and those of the UN observer on the scene were voiced in Security Council debates and in the press. U Thant on several occasions expressed concern over the precedents that the OAS actions might set for relationships between the UN and regional organizations. The Charter articles setting forth the desirable balance between regional and UN activities are ambiguous. They emphasize the need for Security Council authorization when regional enforcement action is undertaken, but they do not clarify what kinds of action shall be considered "enforcement." The United States, arguing that the OAS actions in the Dominican Republic did not constitute "enforcement," claimed the primacy of the regional organization. Apart from legal questions, the conflict raised, but did not resolve, a practical issue: the compatibility of functions between regional organizations and the UN in civil strife. Might it be desirable to consider allotting *peacekeeping* functions to one organization and *peacemaking* functions to the other? What function should each organization assume? Can a feasible combination be found?

The widespread distaste for the American intervention was evident as few Latin American countries endorsed a United States plan for a permanent inter-American peace force. Aside from Brazil, only the military dictatorships of Honduras, Nicaragua, and Paraguay contributed troops; Costa Rica contributed police. The initial intervention raised doubts about the purposes of regional organization in the hemisphere; the subsequent establishment of the inter-American force and the OAS assumption of responsibilities for securing a specific settlement ran the risk of hindering the organization in the performance of other political tasks.

VI

The capabilities of security pacts in circumstances of intraregional civil strife remain untested. When disturbances between the Greek and Turkish communities erupted on Cyprus in December 1963, it appeared that NATO might lead in the search for a settlement of the internal conflict. The British and American governments clearly preferred a regional approach to a global one. The British proposed a three-month, NATO-recruited peacekeeping force of 10,000 men under British command with political guidance from a committee of ambassadors, as well as the appointment of a mediator from a North Atlantic non-NATO country.

Turkey reluctantly assented to the plan, Greece accepted it with some reservations, but the Greek Cypriots rejected it. American support for the British plan was subject to temporary suspension of the two contested treaties and avoidance of any Security Council control. The U.S. hoped to prevent Soviet intrusion into the affair via Council vetoes. The Cypriot president, Archbishop Makarios, then demanded that the proposed force be made responsible to the Security Council, that Turkish troops be excluded from its composition, and that mediation be confined to Britain, Greece, and Turkey (with the Turkish Cypriot minority barred from the talks). He also urged that a Commonwealth force be established rather than a NATO one. Shortly thereafter, the United States yielded to Makarios' demand that the force be "linked" to the UN via "reports." After additional negotiations between U Thant, American and British officials, and the Archbishop, the U.S. abandoned its earlier position and, with Britain, endorsed an appeal to the Security Council.

Speculation on alternatives to the course adopted are worth pondering. Could the U.S. and British negotiators have given Makarios a choice of a NATO force or no force at all and risked Soviet intervention in the Cyprus dispute? Would Makarios have invited the Soviets to intervene directly, and would they have done so? Could the two Western powers have arranged to have the Council meet in order to authorize a force whose composition and instructions were agreed upon in advance by the parties? The Archbishop's refusal to accept a regional peacemaking force or continuation of the British force on Cyprus marked a defeat for Anglo-American diplomacy. It was clear that his rejection did not derive from the military deficiencies of these proposals but from his conviction that the UN would serve as the most reliable mechanism for realization of his internal political goals. Controlling

eighty percent of the island's population, the Archbishop defined the problem as one of "self-determination" in an attempt to court the sympathies of the new states who might be expected to support anticolonialist positions in the General Assembly.

The evidence suggests that instances of a breakdown of law and order may pose the most intractable problems for regional organizations and for the UN. One issue that remains unsettled is the character of the desirable relationship between the two types of organization. Since it can be assumed that political rather than legal considerations are uppermost in the minds of policy-makers, any clarification of these ill-defined relationships that would require advance commitments to use one or the other type of organization first or exclusively appears remote. The demands placed on the UN in breakdowns of law and order are comparable to those placed on regional organizations when they become involved in similar conflicts. It is clear that rival local factions will attempt to use these organizations, against one another if necessary, in order to realize internal political aspirations. Also, it is apparent that the different members of regional organizations may disagree on the nature of outside threats or external control in individual conflicts and may withhold the support needed to promote collective peacekeeping actions or negotiations between disputants. As a result, it is possible that a regional organization may become overcommitted, politically, if its members cannot agree on a single candidate or group of individuals among many to perform the order-giving functions of government.

The efforts of regional organizations to foster peaceful solutions to internal disorders may be unrewarding if the type of settlement proposed ignores the fact that the very outbreak of violence indicates the lack of a national consensus needed for orderly government. Recommendations that call for the establishment of new political structures must take national histories and traditions into account. If a solution is proposed in regional decision-making councils that is not suited to the politics of the country in disorder, tensions may be exacerbated rather than eased. The more extensive the role of the international organization, the greater the uncertainties that hamper attempts to secure cease-fires and lasting accommodation between local adversaries. Less ambitious but no less desirable tasks for regional actors to perform in breakdowns of law and order include adequate fact-finding procedures and selective border-sealing or supervision while violence works itself out. These activities would be extremely valuable, given the frequent inability of the UN to undertake them. In addition, such responses would underscore the compatibility of regional and global approaches,

a compatibility threatened by elaborate peacekeeping operations that appear competitive.

VII

The interests that have limited the effectiveness of international organizations in colonial wars and in conflicts involving a breakdown of law and order have assumed still greater proportions in proxy wars and conflicts involving charges of external aggression or subversion. The actions of third-party states—the superpowers in Greece, Guatemala, Hungary, Lebanon, Laos, and Vietnam, and Egypt and Saudi Arabia in Yemen—have heightened the threat to regional and global stability when internal violence has erupted in these countries. International organizations as political institutions have represented at best a partial embodiment of national objectives for third parties. They have served chiefly as forums for debate and propaganda. Occasionally, the UN and regional organizations have undertaken investigations or observation missions, but patterns of response have developed excluding large-scale peacekeeping operations or responsibilities for obtaining political settlements.

The policy preferences of the United States and the Soviet Union continue to be crucial in determining whether regional and global approaches to these conflicts are perceived as compatible or competitive. Throughout the postwar period, American, Soviet, and, more recently, Chinese policy-makers have exercised wide discretionary powers in classifying internal conflicts as externally initiated, abetted, or controlled. Major U.S. foreign policy “doctrines”—the Truman, the Eisenhower, and the Johnson-Rusk—have had as a prime purpose the delineation of “subversive” threats or “aggressive” intentions that the United States commits itself to combat by whatever means—unilateral, regional, or multilateral—it selects. Similarly, Russian and Chinese policy statements have argued that “wars of national liberation” or “people’s wars” against “imperialist oppressors” are not subject to international review procedures that might assess the legitimacy of interventions and counterinterventions. Since the Chinese leadership is not represented directly in the UN or in regional organizations, its doctrines and actions are removed still further from review than are those of the United States and the Soviet Union.

The superpowers, both in the UN and in their respective alliances, have adopted flexible criteria for estimating the dangers created by each other’s interventions in internal conflicts. Understandably, security pacts have served as the most convenient vehicles for the super-

powers in their efforts to legitimize interventionary courses of action. Yet the internal stresses and strains of their defense systems—NATO, SEATO, and the Warsaw Pact—have confronted the U.S. and the Soviet Union with the need to “go it alone” if they choose to intervene on a massive scale in conflicts like Vietnam. The increasing reluctance of formal allies to support superpower interventions in internal conflicts, of which Vietnam is the most notable example, has reduced one value of security pacts to the superpowers. At the same time, the lessened tension between the superpowers themselves has called the rationale of such alliances into question.

Throughout the postwar period, the superpowers have used a variety of instrumentalities to secure endorsement of their own policy goals as well as to prevent unfavorable shifts in the world balance of power. When internal conflicts involving charges of subversion or external aggression have appeared to presage detrimental shifts, the United States and the Soviet Union have employed security pacts and the UN to explain the selection of direct intervention, lesser forms of manipulation, or, in some cases, abstention. The United States used the UN, prior to NATO's formation, as the mechanism for exposing what it termed a Soviet-inspired foreign challenge to Greek independence and sovereignty. The announcement of the Truman Doctrine reaffirmed the already evident U.S. policy of meeting such challenges with unilateral or collective defense responses rather than with UN measures.

In the 1954 Guatemalan disorder, the U.S. successfully used the OAS as a Latin American NATO, while the Soviet Union argued for Security Council primacy. In the 1956 Hungarian uprising, the U.S., preoccupied with intra-NATO ramifications of the Suez crisis, used the UN as an instrument for expressing its desire to avoid intervention. The Soviet Union, defending its unilateral intervention in Hungary, cited the Warsaw Pact in a transparent effort to adduce “regional” legitimacy for its actions. In Lebanon, the U.S. approved UN observation, while it supported the incumbent Chamoun regime with a unilateral intervention.

Repeatedly, the superpowers have denounced each other's interventions or defended their own by referring to Article 51 of the UN Charter.²⁰ In no disorder has the tendency to allege “self-defense” against

²⁰ Article 51 states: “Nothing in the present Charter shall impair the inherent right of individual or collective self-defense if an armed attack occurs against a Member of the United Nations, until the Security Council has taken the measures necessary to maintain international peace and security. Measures taken by Members in the exercise of this right of self-defense shall be immediately reported to the Security Council and shall not in any way affect the authority and responsibility of the Security Council

"armed attack" produced greater controversy than in the Vietnam war.²¹ In no instance has the failure to develop mandatory review procedures for arguments based on Article 51 been more dangerous. The United States, in asserting that infiltration from North Vietnam to assist insurgents constitutes "an armed attack" that justifies its large-scale intervention on behalf of incumbents in South Vietnam as "self-defense," has underscored the impotence of regional security pacts as well as the UN in proxy conflicts. Despite American attempts to place its intervention in a SEATO context, many states in the region, as well as outside it, have denied the validity of this characterization. Apart from the legal ramifications of such questionable arguments, the political consequences for international organizations are serious.

The absence of agreement on definitions of aggression, self-defense, and armed attack hinders, but need not preclude entirely, the development of review procedures in the UN or in regional organizations whereby member states might subject to careful scrutiny the claims and counterclaims made under Article 51. Without such scrutiny, unilateral interventions can continue to transform internal disorders into proxy wars with no chance of effective international regulation. With such procedures, the salience of regional organizations as centers for debate, conciliation, negotiation, or even selective interpositions would be enhanced.²²

Clearly, it is in the interest of the developing countries to press for the institutionalization of review procedures since the larger powers cannot be expected to do so. Relevant discussion in the OAU and the OAS might demonstrate the compatibility of regional and global approaches in enforcing a pause in fighting during which parties could move toward negotiations. Collective defense arrangements, by definition, will tend to favor a revision or maintenance of the status quo favorable to one or the other superpower, an objective that may be incompatible with the aims of international organizations in specific instances. The Afro-Asian states and the Latin American states who wish to avoid client status may improve their chances by forming organizations that avoid alliance connotations.

under the present Charter to take at any time such action as it deems necessary in order to maintain or restore international peace and security."

²¹ For a lucid analysis of the legal aspects of American intervention in Vietnam, see Falk, "International Regulation of Internal Violence," 63-67.

²² For a provocative discussion of this point, see Oran R. Young, *The Intermediaries: Third Parties in International Crises* (Princeton 1967), chap. 3.

VIII

The preceding discussion has emphasized the internal and external limitations that characterize the responses of regional organizations to civil strife. Some limitations—for example, restricted memberships, jurisdictions, and resources—are equally significant in attempts to regulate the three types of internal conflict considered. Others, especially ideological splits, may be more relevant to one type of conflict than to the other two. Colonial wars, internal conflicts involving a breakdown of law and order, and proxy wars and internal conflicts involving charges of subversion or external aggression confront regional organizations with demands they are not well equipped to meet. The line between the three types of disorders is fluid, of course. A colonial war may be but the first step toward a breakdown of law and order, and then a proxy war. The perceptions of leaders of third-party states rather than objective tests may be most important in determining the classification of internal conflicts and, hence, the compatibility or competitiveness of regional and global approaches. These approaches appear to be most compatible in the colonial wars and potentially most competitive in the breakdowns of law and order.

The coincident interest of global and regional organizations in proxy wars is the maximization of pressures that will restrain the superpowers, China, or smaller revisionist powers in the modernizing areas from counterinterventions in civil strife. The present resources of regional groupings like the OAU and OAS permit investigatory activities that present little risk and, too often, are of little value in civil strife. The resources of security pacts, on the other hand, are impressive militarily but of peripheral political value in promoting peaceful change in modernizing countries.

Barring desirable changes in the direction of stronger autonomous regional groupings, the prevailing pattern of *ad hoc* responses to internal conflict is likely to persist. A restructuring of regional organization would facilitate the regulation of internal conflict on a subglobal basis. As already suggested, the smaller states, whose territories are targets for competitive unilateral interventions, might well take the lead in establishing new organizations that exclude the superpowers from membership. But if countries in disorder are to avoid foreign interventions, third-party states must exercise greater restraint in using internal conflicts for the achievement of national policy goals. Both changes in the international system are desirable for purposes of conflict management. Both are feasible only if a large number of states give priority to them.